

DONALD A. GREEN (SBN 225171)  
DOAN LAW FIRM, LLP  
2850 PIO PICO DR., SUITE D  
CARLSBAD, CA 92008  
(760) 450-3333 ♦ Facsimile (760) 720-6082

Attorney for Plaintiff, JEANETTE MORRIS

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

JEANETTE MORRIS,

Plaintiff,

v.

CORRECTIONS CORPORATION OF  
AMERICA,

Defendants.

CASE NO.: 07 CV-0828-BEN(BLM)

NOTICE OF RELATED CASE

**TO: THE COURT, ALL PARTIES, AND TO THEIR ATTORNEYS OF RECORD:**

**PLEASE TAKE NOTICE** pursuant to Local Rule 40.1(e) that a related case was filed in the United States District Court for the Southern District of California on JANUARY 15, 2008. The related case is captioned GUADALUPE IGNACIO v. COORECTIONS CORPORATION OF AMERICA and has been assigned Docket No.: 08 cv-0085 BEN JMA.

**BRIEF STATEMENT**

DONALD A. GREEN, DOAN LAW FIRM, LLP, is attorney-of-record for Plaintiffs in both actions. The initial action, JEANETTE MORRIS v. CORRECTONS CORPORATION OF AMERICA, Case No. 07 cv-0828-BEN(BLM), was filed in state court on March 28, 2007. It was removed to federal court on or about May 7, 2007. The related case, GUADALUPE IGNACIO v. COORECTIONS CORPORATION OF AMERICA, Case No.: 08 cv-0085 BEN JMA was filed directly in federal court on JANUARY 15, 2008.

Both cases involve substantially the same facts and law and are related for the following reasons:

**SUBSTANTIALLY THE SAME FACTS:** Both cases involve virtually identical facts. Both cases involve female detainees at the San Diego Correctional Facility ("SDCF") in San Diego, California owned and operated by Corrections Corporation of America ("CCA"). Both cases name defendant CCA as defendant party. In both cases, the plaintiffs fell off top bunks at the CCA SDCF facility after CCA staff had prior knowledge that each detainee had previously fallen off top bunks. Both cases involve past incidents of falls at the facility under similar circumstances, evidencing a habit, practice, and custom of CCA to act with reckless disregard for the health or safety of the detainees. Both cases allege dangerous conditions of the CCA premises because the bunks were not equipped with handrails, ladders or other precautionary measures, requiring the inmates to climb on tables to reach their beds. Both cases involve allegations of abuse, harassment, and maltreatment by CCA staff personnel leading up to and after the incidents in question. In both cases, Plaintiffs allege that falls from the top bunks led to and were the proximate causes of their injuries and that they were in fact injured.

**SUBSTANTIALLY THE SAME LAW:** Both cases allege negligence and premises liability as the primary causes of action. Plaintiff, GUADALUPE IGNACIO, has added additional claims for a violation of her civil rights as well as conspiracy to deprive her of her rights. The underlying facts and primary law, however, remain substantially the same.

///

///

///

///

///

///

///

///

1 Assignment to a single district judge is likely to effect a saving of judicial effort and  
2 economies because the evidence (policies, procedures, practices) and witnesses (administrative  
3 personnel and front line staff), facts and law are substantially the same in both cases.  
4

5 Dated: JANUARY 15, 2008

DOAN LAW FIRM, LLP

6  
7  
8 By 

9 DONALD A. GREEN

Attorney for Plaintiff, JEANETTE MORRIS

10  
11 Electronically filed with the US District  
12 Court, Southern District of California this 15<sup>th</sup>  
13 day of January 2008.

14 Copy sent via facsimile and US Mail  
15 this 15<sup>th</sup> day of January, 2008 to:

16 David B. Monks, Esq.  
17 Micaela P. Shelton, Esq.  
18 KLINEDINST P.C.  
19 501 West Broadway, Suite 600  
20 San Diego, CA 92101  
21 Tel: (619) 239-8131  
22 FAX: (619) 238-8707

23 Daniel P. Struck, Esq.  
24 Rachel Halverson, Esq.  
25 Jones, Skelton & Hochuli, P.L.C.  
26 2901 North Central Ave., Suite 800  
27 Phoenix, AZ 85012-2728  
28 Tel: (602) 263-1700  
FAX: (602) 263-1784

By 

1 Jeanette Morris v. Corrections Corporation of America  
2 Case No. 07cv0828-BEN (BLM)

3 **PROOF OF SERVICE BY MAIL**

4 I, Donald A. Green, declare as follows:

5 I am over 18 years of age and not a party to this action; I am an attorney with the Law Office  
6 of Donald A. Green, located in the County of San Diego, State of California, and my business  
address is 2850 Pio Pico Dr., Suite D, Carlsbad, CA 92008, telephone number (760) 450-3333;  
facsimile number (760) 720-6082.

7 On January 15, 2008, I served the document(s) described as:

8 **1. NOTICE OF RELATED CLAIM**

9 on the interested parties in this action as listed below:

10 **BY MAIL:**

11 ☒ As follows: I am "readily familiar" with the firm's practice for collection and processing of  
12 correspondence for mailing with the United States Postal Service; and that the  
correspondence shall be deposited with the United States Postal Service this same day in the  
13 ordinary course of business. I am aware that on motion of the party served, service is  
presumed invalid if postal cancellation date or postage meter date is more than one day after  
14 date of deposit for mailing in affidavit.

15 **BY FACSIMILE TRANSMISSION:** From Fax No. (760) 720-6082 to the *facsimiles of*  
*the below-listed facsimile numbers*. The facsimile machine I used complied with Rule  
16 2003(3), and no error was reported by the machine.

17 ☒ (State) I declare under penalty of perjury under the laws of the State of California that the  
foregoing is true and correct. Executed on JANUARY 15, 2008 at San Diego, California.

18   
19 DONALD A. GREEN

1 Jeanette Morris v. Corrections Corporation of America  
2 Case No. 07cv0828-BEN (BLM)

3  
4 **PROOF OF SERVICE BY MAIL**

5 *Attorneys for Defendant,*  
6 *CORRECTIONS*  
7 *CORPORATION OF*  
8 *AMERICA*

David B. Monks, Esq.  
Micaela P. Shelton, Esq.  
KLINEDINST P.C.  
501 West Broadway, Suite 600  
San Diego, CA 92101  
Tel: (619) 239-8131  
FAX: (619) 238-8707

9 Daniel P. Struck, Esq.  
10 Rachel Halverson, Esq.  
11 Jones, Skelton & Hochuli, P.L.C.  
12 2901 North Central Ave., Suite 800  
13 Phoenix, AZ 85012-2728  
14 Tel: (602) 263-1700  
15 FAX: (602) 263-1784  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28